

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION**

UNITED STATES OF AMERICA and)
THE STATE OF WISCONSIN,)
Plaintiffs,)
v.) Civil Action No. 10-C-910
)
NCR CORPORATION,)
APPLETON PAPERS INC.,)
BROWN COUNTY,)
CITY OF APPLETON,)
CITY OF GREEN BAY,)
CBC COATING, INC.,)
GEORGIA-PACIFIC CONSUMER PRODUCTS LP,)
KIMBERLY-CLARK CORPORATION,)
MENASHA CORP.,)
NEENAH-MENASHA SEWERAGE COMMISSION,)
NEWPAGE WISCONSIN SYSTEMS, INC.,)
P.H. GLATFELTER CO.,)
U.S. PAPER MILLS CORP., and)
WTM I COMPANY,)
Defendants.)

**DEFENDANT NCR CORPORATION'S RESPONSE TO THE UNITED STATES'
CIVIL L.R. 7(h) EXPEDITED NON-DISPOSITIVE MOTION *IN LIMINE* TO
EXCLUDE OPINIONS AND TESTIMONY OF DEFENDANTS' PROPOSED
REMEDY CHALLENGE EXPERTS**

Defendant NCR Corporation (“NCR”), by its undersigned counsel, respectfully submits this response to the United States’ Civil L.R. 7(h) Expedited, Non-Dispositive Motion *in Limine* to Exclude Opinions and Testimony of Defendants’ Proposed Remedy Challenge Experts (the “Expedited Motion”). In light of the Court’s September 25, 2012 Order (Dkt. #522) granting NCR’s Civil L.R. 7(h) Expedited, Non-Dispositive Motion for

Reconsideration (Dkt. #500), and for the reasons stated therein, NCR respectfully requests that the Court deny the Expedited Motion as moot as it relates to NCR.

Dated: September 26, 2012

Respectfully submitted,

NCR CORPORATION

/s/ Evan B. Westerfield

Counsel for NCR Corporation
CRAVATH, SWAINE & MOORE LLP
Evan R. Chesler
Darin P. McAtee
Worldwide Plaza, 825 Eighth Avenue
New York, New York 10019
Phone: (212) 474-1000
Fax: (212) 474-3700

SIDLEY AUSTIN LLP
Evan B. Westerfield
Eric W. Ha
One South Dearborn Street
Chicago, Illinois 60603
Phone: (312) 853-7000
Fax: (312) 853-7036
evanwesterfield@sidley.com

MARTEN LAW PLLC
Linda R. Larson
Bradley M. Marten
1191 Second Avenue, Suite 2200
Seattle, Washington 98101
Phone: (206) 292-2600
Fax: (206) 292-2601